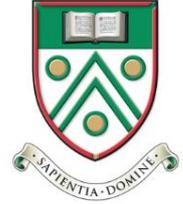


# Langley Grammar School

## Behaviour for Learning Policy



**October 2022 (with minor amendments Feb 2024)**

---

### 1. General Principles

At Langley Grammar School we believe that:

- a) in order to enable effective learning and teaching to take place, good behaviour in all aspects of school life is a basic requirement;
- b) the school should provide a calm, safe and supportive environment in which students can learn and teachers can teach without disruption;
- c) all students are expected to behave with kindness, respect and courtesy towards each other, school staff and members of the local community;
- d) parents should encourage their sons and daughters to behave appropriately and respectfully and should support the school's authority to discipline students who do not meet expectations.

### 2. Policy aims

Staff, students and governors of Langley Grammar School agree that positive and **acceptable behaviour** is based on respect for others, good manners and courtesy, and attitudes and behaviour which support learning. **Outstanding behaviour** builds on this and assumes a heightened level of citizenship, community spirit and independence of thought and action regarding effective learning. **Unacceptable behaviour** is that which insults, abuses, threatens, intimidates or injures any member of the school or local community, or which disrupts the learning of individuals or their peers.

The aims of our Behaviour for Learning policy and associated procedures are to:

- a) promote positive and acceptable behaviour and reward outstanding behaviour;
- b) manage unacceptable behaviour in an assertive and non-confrontational way;
- c) encourage consistency of response to both positive and unacceptable behaviour by staff and other students.

### 3. Roles and responsibilities

- a) **Students** in all years, including Sixth Form, are expected to take responsibility for their own behaviour within lessons and social time, and to meet or go beyond the expectations of the school.
- b) **Parents** are expected to encourage high standards of behaviour and to support the school in maintaining this through the home/school agreement and other measures.
- c) All **teaching and support staff** are responsible for ensuring the policy and associated procedures are followed consistently, for promoting, managing and rewarding acceptable and outstanding behaviour and for creating an appropriate learning environment that fosters the skills of independence and creativity.
- d) The **Headteacher** and **Senior Leadership Team** are responsible for the implementation of this policy and associated procedures, for ensuring consistent application across the school and for supporting staff in their handling of disciplinary situations.
- e) **Governors** will support the school staff in maintaining high standards of behaviour. They will ensure that the school has put in place a policy which promotes outstanding behaviour, and that the policy and the school's expectations are communicated effectively to parents and students.

#### **4. Relationship to other policies**

The implementation of this policy and associated procedures will be undertaken in clear relationship with other school policies, particularly safeguarding and child protection, SEND, anti-bullying, alcohol and drug misuse and online safety.

This policy and associated procedures are written with regard to the current legislative context as set out in the DfE's guidance on [Behaviour in Schools, July 2022](#).

#### **5. Managing behaviour**

##### ***a) Promoting positive behaviour***

In lessons and around the school, we aim to model and promote outstanding behaviour with each other and with students at every opportunity. Students are encouraged to take responsibility for themselves and others, their learning, and for the environment by

- taking responsibility for their actions;
- demonstrating understanding, tolerance, courtesy and respect towards others, including those with protected characteristics as defined in the 2010 Equality Act;
- encouraging the responsible use of communication technologies including social media; ;
- respecting other people's possessions;
- endeavouring to make the school a tidy, safe and pleasant place in which to work and learn.

We recognise

- commitment;
- academic progress and attainment;
- contributions to wider aspects of school life;
- success and achievements by individuals, groups and teams within and outside school.

We reward positive behaviour through the use of:

- verbal praise and positive feedback;
- positive comments on ClassCharts;
- letters/cards to parents/carers;
- achievement points;
- certificates;
- house points;
- subject prizes and awards.

##### ***b) Response to unacceptable behaviour***

When staff become aware of student misbehaviour, they should respond predictably, promptly and assertively in accordance with this policy. The first priority is always to ensure the safety of students and staff and restore a calm environment. It is important that staff respond in consistent, fair and proportionate manner so that students know with certainty that misbehaviour will always be addressed.

However, at Langley Grammar School we believe that student discipline is underpinned primarily by positive relationships rather than rules. We recognise that an appropriate response with one student in one circumstance may not be appropriate in a different situation; staff therefore apply professional judgement before implementing sanctions, and take full responsibility for doing so.

The overall aim of any response to misbehaviour should be to maintain the culture of the school, restore and ensure a calm and supportive environment in which students can learn and thrive, and prevent the recurrence of misbehaviour.

### **c) Consequences of unacceptable behaviour**

A response to unacceptable behaviour may have various purposes, including:

- **deterrence** – for specific students or as a general deterrent for all students across the school
- **protection** – keeping students safe is a legal duty for all staff
- **improvement** – supporting students to understand and meet the our behaviour expectations

Examples of sanctions include:

- verbal reprimand, which may be followed by a negative comment on ClassCharts;
- confiscation of items (eg mobile phones)
- removal from the classroom to work under supervision elsewhere
- loss of privileges
- school-based community service
- letters to, or telephone conversations/meetings with, parents
- invoicing parents for damage
- loss of marks for both formative and accredited assessments
- placing on report
- teacher-set or SLT detention
- internal isolation, working under direct supervision for an extended period of time
- suspension (fixed term exclusion)
- permanent exclusion.

Imposing a sanction and providing appropriate support for improvement are not mutually exclusive actions; they can and should occur at the same time.

Parents will be contacted promptly by the school to notify them of detentions, requests for meetings or to report serious misbehaviour. Minor behavioural issues are notified through the ClassCharts system.

Reported incidents of student misbehaviour will be investigated, and where reasonable, staff and student statements will ensure that all involved have the chance to say what happened. Where the school considers it appropriate, police and/or other relevant bodies will be informed of incidents and engaged in support for further advice for both students and staff.

### **d) Record keeping**

Records are kept of both positive and unacceptable behaviour, together with associated rewards or sanctions. Appropriate levels of confidentiality within the records are observed and personal information is held according to the principles described in the school's Data Protection Policy which incorporates the requirements of the General Data Protection Regulation.

### **e) Searching and confiscation**

Under article 8 of the European Convention on Human Rights students have a right to respect for their private life. The right under Article 8 is not absolute; however, any interference by a school (or any public body) must be justified and proportionate, and in the context of searching and confiscation students have the right to expect a reasonable level of personal privacy.

The law gives schools the general power to discipline, as circumscribed by Section 91 of the Education and Inspections Act 2006; this power enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so.

A member of staff with designated authority can use their discretion to confiscate, retain and/or destroy any item found as a result of a **'with consent'** search so long as it is reasonable in the circumstances. Where any article is reasonably suspected to be an offensive weapon, it must be passed to the police.

In the case of a 'without consent' search, a person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item or may provide evidence in relation to an offence.

If the confiscated item is a mobile phone or other digital device, staff should not attempt to unlock and search the item themselves. A member of the safeguarding team must be informed, who will take responsibility for the examination of any content held on the device.

Searches will always be conducted in accordance with the DfE guidance on [Screening, Searching and Confiscation \(July 2022\)](#) and in such a way as to reduce embarrassment or distress. Further details of the school's procedures are set out in Annex 3.

#### **f) Use of reasonable force**

There are circumstances where it is appropriate for staff in school to use reasonable force to safeguard children. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. The use of force is considered reasonable if it is proportionate to the consequences it is intended to prevent.

All members of school staff have a legal power to use reasonable force without parental consent to prevent students committing an offence, injuring themselves or others, damaging property, or to maintain good order and discipline at the school or among students. This power also applies to people temporarily placed in charge of students by the Headteacher, such as parents accompanying school visits.

In line with DfE guidance [Use of Reasonable Force, July 2013](#) circumstances in which force might be appropriate include, but are not limited to:

- removing a disruptive student from the classroom where they have refused to follow an instruction to leave;
- preventing a student from behaving in a way that disrupts a school event, activity or visit;
- preventing a student leaving a classroom where allowing them to leave would risk their safety or lead to disruptive behaviour by others;
- preventing a student attacking another person;
- stopping a fight.

The Headteacher and other authorised staff may use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco, fireworks, pornographic images or articles that are reasonably suspected to have been or are likely to be used to commit an offence or cause harm.

#### **g) Detention**

Although there is no legal requirement to seek parental consent for student detention, we take the view that it is good practice to do so. Where possible, parents will usually be given 24 hours notice for detentions outside the normal school day.

If a student is given a 'Senior Leadership Team' detention after school, parents may be asked to attend a meeting to discuss the matter with pastoral leaders. When setting detentions, teachers will try to take account of travel arrangements for parent and/or student; however, this may not always be possible.

#### **h) Removal from classrooms**

Removal is where a student is required, for serious disciplinary reasons, to spend a limited time out of the classroom. The use of removal should allow for continuation of the student's education in a supervised setting. Removal should be used only when necessary and when other strategies in the classroom have been attempted, unless the behaviour is so extreme as to justify immediate removal.

Removal should only be used to:

- maintain the safety of all students and restore stability after an unreasonably high level of disruption;
- enable disruptive students to be taken to a place where their education can continue in a managed environment;
- allow the student to regain calm in a safe space.

Only the Headteacher or another member of the Senior Leadership Team should remove a student from a classroom. The student should be placed under supervision and provided with appropriate work to do; they should also be asked to reflect in the behaviour that led to their removal from the classroom and how this could be avoided in the future.

Students removed from the classroom should be reintegrated back into lessons as soon as possible, at the discretion of the supervising member of the Senior Leadership Team but with a clear plan to respond to the misbehaviour with further sanctions and support as appropriate. Parents should be informed on the same day if their child has been removed from the classroom.

## 6. Suspensions and Permanent Exclusions

Suspension (also known as Fixed-Term Exclusion) may be used as a sanction for serious breaches of the school's expectations of behaviour. Permanent exclusion will be considered in response to a serious breach or persistent breaches of the school's expectations **and** where allowing the student to remain in school would seriously harm the education or welfare of the student or of other students in the school.

Whenever suspension or permanent exclusion is given as a sanction, the school will comply with the DfE's [current statutory guidance on exclusion](#). The decision to exclude a student must be lawful, reasonable and fair, and the school has a statutory duty not to discriminate against students on the basis of protected characteristics and to give particular consideration to students from vulnerable groups. The school's procedures for exclusions are set out in a separate policy which can be found on the school website.

The school recognises the importance of providing appropriate support for students when they return from a fixed term exclusion. The provision of support is discussed with the student and parents at the statutory re-admission meeting and may include counselling, behaviour mentoring and/or targeted intervention from outside agencies.

## 7. Power to discipline 'beyond the school gate'

This policy and the associated procedures extend to all non-criminal unacceptable student behaviour which might occur off the school site and is witnessed by a member of staff or reported to the school. This includes online behaviour.

Conduct outside the school premises, including online conduct, that may lead to sanctions includes misbehaviour:

- when taking part in any school-organised or school-related activity;
- when part of a school visit whether in or outside the UK
- when travelling to or from school;
- wearing school uniform or is otherwise identifiable as a student at the school;
- that could have repercussions for the orderly running of the school;
- that poses a threat to another student;
- that could adversely affect the reputation of the school

## 8. Mobile phones

***This section was amended in January 2024 to align with the school's revised expectations regarding the use of mobile phones in school, which were implemented in the Autumn term 2023.***

As an Apple Distinguished School we promote the use of technology for effective learning. All students from Year 8 upwards use iPads to support their learning. These devices are managed and their use can be monitored by the IT technical team. During the school day this means students already have:

- Access to the internet, protected by the school's internet filtering system.
- Direct email communication with staff and each other.
- Use of Office 365 and Microsoft Teams for communication and to access learning resources.

Given the level of secure access that they have to secure digital technology through their iPads, we believe there is no need for students to use their mobile phones during the school day.

The principles underpinning the use of mobile phones on the school premises are therefore that

- Mobile phones must be “not seen and not heard” during the school day.
- They should be switched off and kept out of sight in bags or lockers from 8.00am to 3.15pm on the school site.
- If a mobile phone rings or is seen by a member of staff during the school day, it will be confiscated until the end of the day and a ‘Negative Comment’ will be issued through ClassCharts.
- If there is repeated misuse, parents will be contacted and arrangements will be made for them to collect the phone at their convenience.
- Sixth Form students are able to use their phones in their free time in the Sixth Form Centre or the Library.

## 9. Involvement of outside agencies

When appropriate, the school will seek the support of outside agencies in implementing procedures to ensure the needs of every student are met.

Records of referrals to outside agencies will be maintained, and all relevant staff will be kept informed. Examples may include educational psychologists, behaviour support services, child protection agencies, the police, social services and education support officers.

## 10. Suspected criminal behaviour

Where the headteacher or a member of staff suspects criminal behaviour, the school will make an initial assessment of whether an incident should be reported to the police only by gathering enough information to establish the facts of the case.

Once a decision has been made to refer the incident to the police, the school will ensure that any further action taken does not interfere with any police action taken. The school retains the discretion to continue investigations and apply sanctions as long as this does not conflict with police action. When making a report to the police it will often be appropriate to make a parallel; referral; to children's social care.

## 11. Allegations of abuse by staff

Allegations of abusive behaviour by staff will be dealt with quickly, fairly and consistently. The school will follow the guidance set out in its separate ***Allegations against Staff and Volunteers*** policy. Every effort will be made to protect the student, support the member of staff and secure confidentiality.

In [\*\*\*Dealing with allegations of abuse against Teachers and Other Staff October 2012\*\*\*](#), the DfE advises that suspension will not be an automatic response to an allegation; where a member of staff is suspended, this will be a neutral act to enable a fair and thorough investigation to take place.

There are reporting restrictions preventing the publication of any material that may lead to the identification of a teacher who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation).

Langley Grammar School considers the need to maintain anonymity of staff involved vital whilst any investigation is undertaken. Students who are found, on investigation, to have made malicious accusations will be excluded for an appropriate length of time.

## 12. Staff training

The school provides relevant information and training on behaviour management to all staff. When relevant the school will provide opportunities for staff to develop their knowledge and skills in relation to:

- the implementation of rewards and sanctions in accordance with this policy;
- recording of incidents;
- classroom management;
- educational visits;
- legislation affecting behaviour management.

## 13. Monitoring and evaluation

The Headteacher and Senior Leadership Team will undertake systematic monitoring and review of the Behaviour for Learning policy and procedures.

The implementation and impact of this policy will also be reviewed by the Governors' Staff, Student and Community Committee.

The policy will normally be reviewed every two years in line with the LGS Policy Framework, or in response to any changes in the relevant guidance from the Department for Education.

---

## Policy approval

This policy will be reviewed and approved in line with the LGS Policy Framework approved by the Governing Board in July 2023.

<b>Reviewed by</b>	<b>Headteacher &amp; Deputy Headteacher</b>	<b>June 2022</b>
<b>Approved by</b>	<b>Governing Board</b>	<b>Oct 2022</b>
<b>Next Review</b>	<b>Headteacher &amp; Deputy Headteacher</b>	<b>July 2024</b>

# Annex 1 - School Routines and Expectations

*This section was amended in January 2024, primarily to align with the school's revised expectations regarding the use of mobile phones in school, which were implemented in the Autumn term 2023.*

## Arrival and registration

1. If you arrive in school before 7.45am you may wait in the Dining Room. From 8.00 am you may wait in the Library, in the Dining Room, or in the courtyard behind the main building. You should only go into other areas of the school if you have permission from staff to do so. You may go to your form rooms from 8.15am.
2. Registration is at 8.20am and you must be at your form room by that time. If you arrive in school after 8.20am you may be recorded in the register as late unless there is a good reason.

## Absence from school

3. If your parents wish you to take time off school for any acceptable reason, they must request this in advance using the Leave of Absence request form available on the school website.
4. If you leave the school site during the school day for any authorised reason, you must sign out in the Student Support Office with written evidence of your appointment countersigned by your tutor.

## Personal safety and welfare of others

5. When moving around the school you should walk, not run, and keep to the left in corridors whenever possible. It can be dangerous to carry bags over your shoulder. You should show respect and consideration for other people at all times.
6. If you cycle to school, you should dismount at the gate and wheel your cycle while on the school site. You are strongly recommended to wear a cycle helmet. Cycles should be left in the racks at the front of the school and should be securely locked.
7. Sixth Form students must obtain permission from the Director of Sixth Form if they wish to drive to school and park on the school site.
8. You should leave the school site within 15 minutes of the end of the school day unless you are taking part in an official school activity. You should take your belongings to the activity and not return to your form rooms.
9. **You must NOT bring knives or other weapons, cigarettes or tobacco, e-cigarettes or any other vapourisers, matches, lighters, medicine or unprescribed drugs, alcohol or illegal drugs, new psychoactive substances ('legal highs'), pornographic material, dangerous substances or laser pens onto the school site. These items are prohibited, and may be searched for if there is reasonable suspicion that you may be in possession of them.**
10. **You must NOT bring any item onto the school site which could be used as an offensive weapon.**

## Break and lunchtime arrangements

11. If you are in Years 7-11 you must stay on the school site during the lunch break.
12. **During the lunch break students should remain outside if the weather is fine, except to:**
  - have lunch in the Dining Room;
  - attend a club or activity;
  - attend a detention;
  - go to the toilet;
  - visit the Library;
  - see the Student Support staff in the event of an emergency.

13. In wet weather you should remain in your **own** form room unless alternative arrangements are made. The lunchtime supervisors will tell you if you can stay inside at lunchtime.
14. If you buy hot food in school you must eat it only in the Dining Room or the courtyard area. Plated food should obviously only be eaten in the Dining Room. You may eat cold food or packed lunches in the Dining Room, the central courtyard area, or other seating areas around the school. Food must **not** be eaten inside the buildings except for the Dining Room.
15. In wet weather where you are allowed to stay in your form rooms, any food bought in the Dining Room must be eaten in the Dining Room. Packed lunches can be eaten in form rooms.
16. The lunchtime supervisors are responsible for your safety and support during the lunch hour. You must follow their instructions without question.

### **Caring for the environment**

17. You must put all your litter in the bins provided. This includes food items and packaging bought in school or brought in as part of a packed lunch.
18. You should report any damage to school buildings, equipment or furnishings to a member of staff or the school office at the earliest opportunity.
19. Chewing gum is not permitted in school at any time.

### **Personal property**

20. All students from Year 8 upwards have the opportunity to rent the use of an outside locker and items of personal equipment should never be left in form rooms or elsewhere in the building unless specifically directed. The PE Department makes arrangements for student property to be handed in during lessons.
21. We understand your desire to bring mobile phones in to school but strongly recommend that you do NOT bring other valuable electronic equipment on to the school premises. The school will not take any responsibility for any such items.
22. If you use an iPad in school on a regular basis, you are responsible for keeping it safe and secure. iPads should not be left unattended in bags; please use your locker or other secure storage. iPads are tools for learning; inappropriate use will lead to confiscation and possible sanctions.
23. Mobile phones must be “not seen and not heard”. They should be switched off and kept out of sight in bags or lockers from 8.00am to 3.15pm on the school site. If a mobile phone rings or is seen by a member of staff during the school day, it will be confiscated until the end of the day and a ‘Negative Comment’ will be issued through ClassCharts. If there is repeated misuse, parents will be contacted and arrangements will be made for them to collect the phone at their convenience. Sixth Form students are able to use their phones in their free time in the Sixth Form Centre or the Library.
24. Valuable items and large quantities of money should not normally be brought to school. You should carry your money with you at all times under normal circumstances, On the rare occasion when a large sum of money might have to be brought to school it should be left at the school office for safe keeping. If you find any money or property you should take it to the Student Support office.
25. **Your property is brought in to the school at your own risk. The school does not accept responsibility for the loss or damage to any personal property or money on the school premises. If you voluntarily hand in an item of property for safekeeping, or if it is confiscated because of misuse, the school will take reasonable precautions to keep it secure; in doing so the school is not accepting responsibility for any loss or damage.**

# SIXTH FORM CODE OF CONDUCT

I understand the purpose and content of the Sixth Form Contract. I am fully committed to meeting the school's expectations of me as a member of the Sixth Form. I understand that failure to meet these expectations may result in loss of privileges or other sanctions.

STUDENT NAME: \_\_\_\_\_ Student Signature: \_\_\_\_\_

Tutor Group: \_\_\_\_\_ Date: \_\_\_\_\_

PARENT NAME: \_\_\_\_\_ Parent Signature: \_\_\_\_\_

## As a Sixth Form student at Langley Grammar School, you can expect:

- High quality delivery of your chosen courses through well planned lessons taught by appropriately qualified teachers
- Access to good facilities and resources to support your studies within a safe and secure environment
- Regular feedback and guidance via marked work and through reviews of your academic progress
- Pastoral support and advice to help you address problems which may be affecting your academic progress
- High quality guidance concerning your choice of subjects, your transition to Higher Education and potential careers
- Varied opportunities for personal development through extra-curricular activities, enrichment courses and school responsibilities
- To be respected and treated as a responsible young person moving into adulthood

## The school expects you to:

- Arrive at school, tutor periods, assemblies and all your lessons on time and fully prepared
- Maintain good attendance: you should aim to achieve 100% attendance level with absence only if incapacitated through illness or exceptional reasons (routine medical and dental appointments are not exceptional reasons).
- Commit to a full working week of timetabled lessons (20 hrs) and independent study (approx. 20 hrs). Independent study should be focused and include further reading, note-taking and completion of topic past paper questions.
- Complete all formal assignments (homework, projects and coursework) on time and to the best of your ability
- Behave with kindness, courtesy and respect towards staff, other students and members of the local community in line with the school's ethos and Behaviour for Learning Policy.
- Respect and look after the school environment i.e. the Sixth Form Centre (no eating or drinking, except bottled water), the Study Room, the Library, the computer rooms and any other school facilities or equipment you may use
- Adhere to the Sixth Form uniform policy and to all the school's operational procedures, policies and codes of conduct
- Conduct yourself as a responsible young person moving into adulthood, setting a positive example and being a role model to the rest of the school.

*Failure to meet these expectations will lead to the loss of privileges and to sanctions which may include fixed-term exclusions. Serious breaches of the school's expectations may result in permanent exclusion.*

# Annex 3 – Searching and confiscation

## 1. Searching

### a) Searching with consent

School staff can search students with their consent for any item.

- The school is **NOT** required to have formal written consent from a student for this sort of search – it is enough for the teacher to ask a student to turn out his or her pockets or if the teacher can look in the student's bag or locker and for the student to agree.
- If a member of staff suspects a student has a banned item in his/her possession, they can instruct them to turn out his or her pockets or bag; if the student refuses, the school can apply an appropriate sanction.

### b) Searching without consent

The Headteacher or authorised staff have the statutory power to search a student or their possessions without consent where they have reasonable grounds for suspecting that the student may have a prohibited item. There is no requirement to inform parents or seek their consent before a search is undertaken. Prohibited items are:

- Knives or weapons
- Alcohol
- Illegal drugs
- New psychoactive substances
- Stolen items
- Tobacco and cigarette papers
- E-cigarettes and vapes
- Fireworks
- Pornographic images or other material
- Any article that the member of staff reasonably suspects has been, or is likely to be used to commit an offence, or to cause personal injury to or damage the property of any person (including the student)
- Any other item banned by the school and identified as an item which may be searched for.

Searches will always be conducted in accordance with the DfE guidance on **Screening, Searching and Confiscation (January 2018)** and in such a way as to reduce embarrassment or distress.

#### i) Searches of clothing

The power to search without consent enables a student's clothing to be searched. The person conducting the search may not require the student to remove any clothing other than outer clothing. 'Outer clothing' is clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear and includes hats, shoes, boots, gloves and scarves.

If the individual refuses to allow such a search, the school may pursue formal lines by contacting the police. The person conducting the search should be the same sex as the student being searched; there must also be a staff witness who if possible should also be the same sex as the student being searched.

There is a limited exception to this rule: an authorised person can carry out a search of a student of the opposite sex and without a witness present, but only where it is reasonably believed that there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

## **ii) Searches of possessions**

'Possessions' means any items over which the student has or appears to have control – this includes lockers, bags and pencil cases. Designated staff may search possessions, for example a student's locker, for any item if they have the student's consent. If they have reasonable suspicion that prohibited items may be stored there, they can search a locker without consent.

A student's possessions should only be searched in the presence of the student and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.

## **c) Confiscation and disposal of suspected illegal drugs**

The law gives schools the general power to discipline, as circumscribed by Section 91 of the Education and Inspections Act 2006. This power enables a member of staff to confiscate, retain or dispose of a student's property as a disciplinary penalty, where reasonable to do so.

A member of staff with designated authority can use their discretion to confiscate, retain and/or destroy any item found as a result of a **'with consent'** search so long as it is reasonable in the circumstances. Where any article is reasonably suspected to be an offensive weapon, it must be passed to the police.

Where a 'without consent' search is conducted, a person carrying out such a search can seize anything they have reasonable grounds for suspecting is a prohibited item or is evidence in relation to an offence.

- Alcohol may be retained or disposed of. This means that schools can dispose of alcohol as they think appropriate but this should not include returning it to the student.
- Controlled drugs must be delivered to the police as soon as possible but may be disposed of if the school thinks there is a good reason to do so.
- Other substances which are not believed to be controlled drugs can be confiscated where school staff believe them to be harmful or detrimental to good order and discipline. This would include, for example, so called 'legal highs' (new psychoactive substances). Where staff suspect a substance may be controlled it should be treated as a controlled drug as outlined above.
- Stolen items must be delivered to the police as soon as reasonably practicable – but may be returned to the owner (or may be retained or disposed of if returning them to their owner is not practicable) if the school thinks that there is a good reason to do so.
- Tobacco or cigarette papers may be retained or disposed of. As with alcohol, this means that schools can dispose of tobacco or cigarette papers as they think appropriate but this should not include returning them to the student.
- Fireworks found as a result of a search may be retained or disposed of but should not be returned to the student.
- If a member of staff finds a pornographic image, they may dispose of the image unless they have reasonable grounds to suspect that its possession constitutes a specified offence (i.e. it is extreme or child pornography) in which case it must be delivered to the police as soon as reasonably practicable.
- Where an article that has been (or is likely to be) used to commit an offence or to cause personal injury or damage to property is found it may be delivered to the police or returned to the owner. It may also be retained or disposed of.
- Where a member of staff finds an item which is banned by the school they should take into account all relevant circumstances and use their professional judgement to decide whether to return it to its owner, retain it or dispose of it.
- Any weapons or items which are evidence of an offence must be passed to the police as soon as possible.

- Stolen items discovered during a search should be returned to the owner unless there is an active police investigation or the nature of the stolen item warrants police involvement, in which case the item should be handed to the police.
- Items confiscated because they are banned by the school should be collected by arrangement by parents from the school office. Confiscated weapons, knives and controlled drugs will be handed over to the police.

#### ***d) Electronic devices and mobile phones***

Where the person conducting the search finds an electronic device that is prohibited by the school or that they reasonably suspects has been, or is likely to be, used to commit an offence or cause personal injury or damage to property, they may examine any data or files on the device where there is a good reason to do so. They may also delete data or files if they think there is a good reason to do so, unless they are going to give the device to the police.

There is no need to have parental consent to search through a student's mobile phone if it has been seized in a lawful 'without consent' search and is reasonably suspected of being, or being likely to be, used to commit an offence or cause personal injury or damage to property.

The member of staff must have a "good reason" for examining or erasing the contents of an electronic device. The staff member should reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, disrupt teaching or break the school's expectations.

If an electronic device has been confiscated and the member of staff has reasonable grounds to suspect that it contains evidence in relation to an offence, they must give the device to the police. Material on the device that is suspected to be evidence relevant to an offence, or that is a pornographic image of a child or an extreme pornographic image, should **NOT** be deleted prior to giving the device to the police.

**If a member of staff suspects that a device may contain indecent images of a child, they must not search the device but should confiscate it and pass it on to the Designated Safeguarding Lead**

If a staff member does not find any material that they suspect is evidence in relation to an offence, and decides not to give the device to the police, they can decide whether it is appropriate to delete any files or data from the device or to retain the device as evidence of a breach of school discipline.